Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE UNITED STATES DEFAREMENT OF COMPIL United States Patent and Trudemark Office Address COMMISSIONER FOR PATENTS P.C. Dox 1450 Alexandria, Vignis 22313-1450 www.uspio.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/821,474

04/08/2004

Yoshinori Iketaki

04216/LH

01933 FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 767 THIRD AVENUE 25TH FLOOR NEW YORK, NY 10017-2023

CONFIRMATION NO. 1086 FORMALITIES LETTER *OC000000013051190*

Date Mailed: 06/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- · The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-10.
- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

SUMMARY OF FEES DUE:

01 FC:1051

Total additional fee(s) required for this application is \$130 for a Large Entity

• \$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Attorney Docket No. 04216/LH

AU6 16 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appilicant(s): Yoshinori IKETAKI

Serial No. : 10/821,474

Filed: April 8, 2004

For : MICROSCOPE AND ITS OPTICAL

CONTROLLING METHOD

Art Unit

CUSTOMER NO.: 01933

SUBMISSION OF

1. SIGNED DECLARATION

2. ACCURATE ENGLISH LANGUAGE TRANSLATION

Commissioner for Patents P.O. BOX 1450 Alexandra, VA 22313-1450

Att: MS - MISSING PARTS

SIR:

Responsive to the Patent Office Notice mailed June 24, 2004 (copy attached), the term for response to which expires on August 24, 2004, submitted herewith are the following:

- 1. Declaration executed by the inventors, referring to the application by Serial Number and filing date.
- 2. Accurate English Translation of the above-identified application (pages 1- 24), together with a complete set of formal drawings - 10 sheets, Figs. 1-11.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date noted below.

haron Portnoy

Dated: August 12, 2004

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith. please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card (Form PTO-2038 attached hereto), authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

Re: ABSTRACT

The Notice dated June 24, 2004 states that "An abstract was not provided for this application". It is respectfully submitted that, in fact, a Japanese language abstract (page 19 of the original Japanese language application) was submitted with the filing of the application. A copy of the receipted postcard evidencing the receipt of the abstract (page 19) is attached. A copy of original page 19 (abstract) in the Japanese language is attached.

The requisite filing fee of \$770.00 and the fee of \$130.00 for filing a "Non-English Specification" was previously submitted with the filing of the application. Thus, no further fees are required with this submission. However, authorization is given to charge any additional fees which may be required, or to credit any overpayment, to Account No. 06-1378.

It is respectfully requested that prosecution on the merits now proceed.

Respectfully submixted,

Leonard Holtz, Esq Reg. No. 22,974

Frishauf, Holtz, Goodman & Chick, P.C. 767 Third Avenue - 25th Floor New York, New York 10017-2023 Tel. No. (212) 319-4900 Fax No. (212) 319-5101 LH:sp



Atty. Docket # 04216/LH

THE PATENT OFFICE ACKNOWLEDGES RECEIPT OF:

New appln: Transm. ltr (dupl.); spec, claims, Abstract (pages 1-19);

NO DECLARATION, NO ASSIGNMENT;

FILED IN JAPANESE LANGUAGE

10 sheets formal drawings (Figs. 1-11); Change of Correspondence Address (with cust. #) \$900. ck. #94632.

Y. IKETAKI

LH:bv

Priority: April 15, 2004 Mailed: April 8, 2004

EXPRESS MAIL # EV 366 565 346 US

16834 U.S. PTO 10/8214



要約書

第1、第2の光の光学的調整を容易かつ高精度にでき、超解像効果や期待する光学性能を確実に発現できる顕微鏡及びその光学調整方法を提供する。試料74に含まれた分子を基底状態から第1電子励起状態に励起する第1の光源11からの第1の光を二次元的に偏向する第1の偏向手段14a,14bと、上記分子を第1電子励起状態から、よりエネルギー準位の高い第2電子励起状態に励起する第2の光源12からの第2の光を二次元的に偏向する第2の偏向手段17a,17bと、偏向された第1、第2の光を同一光軸または互いに平行な光軸に合成する合成手段16と、合成された第1、第2の光を同時に偏向する第3の偏向手段19a,19bとを有し、これら第1~第3の偏向手段により第1、第2の光の光軸を調整して、集光光学系72により一部重ね合わせて試料74に照射することにより、その発光を検出するようにする。

【選択図】 図1